

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA :
: No. 18-MJ-79
v. :
: (Saporito, M.J.)
JOHN JACOB HASAY, :
Defendant :

GOVERNMENT'S RESPONSE TO
MOTION FOR RECONSIDERATION

On September 6, 2018, defendant John Jacob Hasay filed a motion requesting reconsideration of the Court's August 31, 2018 order of detention pending trial. In this response, the United States incorporates by reference its position and representations advanced in support of pretrial detention at the August 30, 2018 hearing before the Court.

At that hearing, the United States' opposition to Hasay's pretrial release was premised primarily on his danger to the community. Accordingly, the United States furnished the Court with examples of Hasay's written promise to commit a hate crime, ready access to illegally modified firearms and black-market firearm component dealers, and reoccurring advancements of Nazi and white supremacist-

related ideologies. Thus, the government deemed Hasay's proposal to attend a mental health program from which he could depart at will an insufficient measure to safeguard the community, or even to protect Hasay from himself.

Hasay now proposes to attend a secure psychiatric facility that requires 72-hour notice before he can leave on a voluntary basis. *See* Def. Mot. at ¶¶ 6, 13. Although this revised proposal alleviates some of the government's concern, it nonetheless risks Hasay's release from the psychiatric facility in as little as 14 days. *Id.* at ¶ 9. That said, the United States defers to the Court's sound discretion and experience in fashioning an appropriate resolution to this issue.

September 7, 2018

Respectfully submitted,

/s/ Phillip J. Caraballo
Phillip J. Caraballo
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion as to be competent to serve papers. On September 7, 2018, she served a copy of the enclosed

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by electronic filing on Al Flora, Esq., counsel for defendant John Jacob Hasay.

/s/ Donna M. Borgia
Donna M. Borgia
Legal Assistant